

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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| USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 09/14/2023 |
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:
689 EATERY CORP., etc. *et ano.*,
Plaintiffs,
-v-
:
CITY OF NEW YORK, *et al.*,
Defendants.
-----X
-----X

02-cv-4431 (LJL)

ORDER

-----X
:
59 MURRAY ENTERPRISES, INC. etc., *et ano.*,
Plaintiffs,
-v-
:
CITY OF NEW YORK, *et al.*,
Defendants.
-----X
-----X

02-cv-4432 (LJL)

ORDER

-----X
:
CLUB AT 60TH STREET, *et al.*,
Plaintiffs,
-v-
:
CITY OF NEW YORK,
Defendant.
-----X
-----X

02-cv-8333 (LJL)

ORDER

-----X
:
336 LLC, etc, *et al.*,
Plaintiffs,
-v-
:
CITY OF NEW YORK,
Defendant.
-----X
-----X

18-cv-3732 (LJL)

ORDER

LEWIS J. LIMAN, United States District Judge:

The Court held a conference in this matter on September 7, 2023. At the conference, the parties agreed to convert the motion for summary judgment into a bench trial on the merits in order to facilitate an efficient presentation of the evidence and to preserve judicial resources.


This order memorializes deadlines set at the conference on September 7, 2023.

The bench trial is RESCHEDULED from October 16, 2023 at 9:30 a.m. to November 15, 2023 at 9:30 a.m. in Courtroom 15C of the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, NY 10007. The trial will proceed with direct testimony of any party witnesses and experts to be called by a party by declaration, which have already been submitted to the Court, and based on the parties' Consolidated Statement of Stipulated Facts. Cross-examination and redirect examination on the declarations shall proceed at trial. The parties are directed to exchange the names of witnesses whom they intend to cross examine at trial on or before October 30, 2023 and to submit a joint letter with such names to the Court.

Motions in limine, if any, are due on September 22, 2023. Responses to the motions in limine are due by October 6, 2023, with replies due on October 10, 2023. The parties are directed to inform the Court after reviewing the responses to the motions in limine whether they intend to submit replies or whether the Court can consider the motions fully submitted at that point. The Court will hold oral argument on the motions in limine on October 20, 2023 at 2:00 p.m in Courtroom 15C of the Daniel Patrick Moynihan United States Courthouse. The Court will hold a final pretrial conference in this matter on November 8, 2023 at 3:00 p.m in Courtroom 15C of the Daniel Patrick Moynihan United States Courthouse. Accommodations for the in-person conferences and trial will be made for the attorneys and witnesses who have demonstrated good cause to appear remotely.

SO ORDERED.

Dated: September 14, 2023
New York, New York



LEWIS J. LIMAN
United States District Judge